

Presented to the Court by the foreman of the
Grand Jury in open Court, in the presence of
the Grand Jury and FILED in the U.S.
DISTRICT COURT at Seattle, Washington.

September 19 20 24
By Kavi Subramanian, Clerk
[Signature] Deputy

UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,
Plaintiff,

v.

KYLE CHRISTOPHER BENTON,
Defendant.

NO. **CR 24 - 162 TL**
INDICTMENT

The Grand Jury charges that:

COUNT 1

(Unlawful Possession of a Machinegun)

On or about September 6, 2024, in Snohomish County, within the Western District
of Washington, KYLE CHRISTOPHER BENTON did possess a machinegun, that is, a
black M16 type 5.56x45 caliber rifle with no apparent markings.

All in violation of Title 18, United States Code, Sections 922(o).

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COUNT 2

(Possession of an Unregistered Firearm)

On or about September 6, 2024, in Snohomish County, within the Western District of Washington, KYLE CHRISTOPHER BENTON knowingly possessed a firearm which was not registered to him in the National Firearms Registration and Transfer Record, as required by law, that is, a Palmetto State Armory PA-15 5.56 x45 caliber rifle with an approximately 12-5/8 inch barrel, a rifle having a barrel of less than 16 inches in length.

All in violation of Title 26, United States Code, Sections 5861(d) and 5845(a)(3).

FORFEITURE ALLEGATION

The allegations contained in Counts 1-2 of this Indictment are hereby realleged and incorporated by reference for the purpose of alleging forfeiture.

Upon conviction of the offense alleged in Count 1, KYLE CHRISTOPHER BENTON shall forfeit to the United States, pursuant to Title 18, United States Code, Section 924(d)(1), by way of Title 28, United States Code, Section 2461(c), any firearms and ammunition that were involved in the offense, including but not limited to:

- a. One machinegun, further described as a black M16 type 5.56x45 caliber rifle with no apparent markings, and any associated ammunition, seized on or about September 6, 2024, from the residence of KYLE CHRISTOPHER BENTON, in Snohomish, Washington.

Upon conviction of the offense alleged in Count 2, KYLE CHRISTOPHER BENTON shall forfeit to the United States, pursuant to Title 26, United States Code, Section 5872, by way of Title 28, United States Code, Section 2461(c), any firearms that were involved in the offense, including but not limited to:

- 1 a. One Palmetto State Armory PA-15 5.56 x45 caliber rifle with serial number
2 LW228960 with an approximately 12-5/8 inch barrel, a rifle having a barrel of
3 less than 16 inches in length, seized on or about September 6, 2024, from the
4 residence of KYLE CHRISTOPHER BENTON, in Snohomish, Washington.

5 **Substitute Assets.** If any of the above-described forfeitable property, as a result of
6 any act or omission of the defendants,

- 7 a. cannot be located upon the exercise of due diligence;
8 b. has been transferred or sold to, or deposited with a third party;
9 c. has been placed beyond the jurisdiction of the Court;
10 d. has been substantially diminished in value; or,
11 e. has been commingled with other property which cannot be divided
12 without difficulty;

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1 it is the intent of the United States to seek the forfeiture of any other property of the
2 defendant, up to the value of the above-described forfeitable property, pursuant to
3 Title 21, United States Code, Section 853(p).

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5 A TRUE BILL:

6 DATED: 9-19-2024

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8 *Signature of Foreperson redacted pursuant*
9 *to the policy of the Judicial Conference of*
10 *the United States.*

11
12 FOREPERSON

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15 TESSA M. GORMAN
16 United States Attorney

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19 TODD GREENBERG
20 Assistant United States Attorney

21
22
23 BRIAN WYNNE
24 Assistant United States Attorney